

APPROVED: Meeting No. 35-84

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
MEETING NO. 31-84

September 10, 1984

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, September 10, 1984, at 8:00 p.m.

PRESENT

Mayor John K. Freeland

Councilman Steve Abrams

Councilman Douglas Duncan

Councilwoman Viola Hovsepian

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Attorney Paul Glasgow;  
Secretary to the City Clerk Patricia Rager.

Re: City Manager's Report

Mr. Blick reported the following:

1. The County Department of Transportation has requested permission to establish bus stops on City streets to accommodate the expansion of the Ride On bus system. There will be 58 stops on the following streets: Monroe, Fleet, Maryland Avenue, Ritchie Parkway, Middle Lane, Hurley, Seven Locks, Research Boulevard, Halpine Avenue, Piccard Drive and Gude Drive.

2. A joint meeting has been scheduled for the Mayor and Council and the Planning Commission for 7:30 on Wednesday to review and approve testimony to be given on the Gaithersburg Vicinity Master Plan. The public hearing will be held by the County Council a week from tomorrow at 7:30 p.m.

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3. Tonight the Montgomery County delegation is considering NC-503-94 which would authorize \$750,000 in State bonds to expand the F. Scott Fitzgerald Theatre. Councilman Tyner is on call to testify on the bill.

4. The State Highway Administration has begun resurfacing Jefferson Street between Falls Road and Rt. 355; F.O. Day Company laid asphalt on Brent Road widening project - clean-up and sodding is all that remains to complete this project; and A. H. Smith began smoothsealing this week in the Twinbrook area.

5. Dan Hobbs, Assistant City Manager, introduced Maggie Barth. Ms. Barth, he explained, is here from West Germany on an exchange program. She will be here for five weeks working in the City Manager's Office and she will be visiting each department to see how they operate. Tomorrow she will visit the County Council and then will be the City Manager's guest at the Chamber of Commerce luncheon.

Mayor Freeland welcomed Ms. Barth to the City.

Councilman Tyner said he may have to leave before New Business to go across the street and testify so he would like to give a copy of the bill Delegate Forehand will be putting in for Peerless Rockville for State bonds to the City Manager and asked that staff review it and get more information on this.

Re: Proclamation: Con-  
stitution week,  
September 17-23, 1984

Proclamation No. 11-84

There being no objection from the Council, Mayor Freeland proceeded to issue Proclamation No. 11-84, proclaiming the week of September 17-24, 1984, as Constitution Week in the City of Rockville. Councilman John Tyner read the proclamation at the request of the Mayor in which it was urged that all citizens study the Constitution to express gratitude for the privilege of American citizenship.

Councilwoman Hovsepian asked to speak tonight in order to amend her statement made at the August 27, Mayor and Council meeting.

Her course of action, outlined in the last statement, was for a prompt enactment of a stronger "Employment Restriction" section of the Ethics Provisions. Her recommendation tonight to the Mayor is based on the "Statement of Purpose and Policy" portion of the current Ethics provisions:

"(a) The Mayor and Council of Rockville, recognizing that (the) system of representative government is dependent in part upon the people maintaining the highest trust in their public officials and employees, finds and declares that the people have a right to be assured that the impartiality and independent judgment of public officials and employees will be maintained.

(b) It is evident that this confidence and trust is eroded when the conduct of the City's business is subject to improper influence and even the appearance of improper influence."

She considers there to be mounting evidence that the people's trust is being eroded by "the appearance of improper influence." This erosion of trust has led her to conclude that the Mayor's action in accepting employment with Eisinger/Kilbane and Associates and at the same time continuing as Mayor is contrary to the "Statement of Purpose and Policy" of the Ethics Provisions.

In order to begin the restoration of the public's confidence in the Mayor and Council, she has further concluded that the Mayor has no option other than to resign from his elected position. She asked Mayor Freeland to consider resignation now rather than waiting for the enactment of a revised version of the Ethics Provisions.

Councilman Abrams said he is interested in how Councilwoman Hovsepian came to her decision. He said he is going to be very critical of this Council since the Council has never discussed his postcard referendum, which was rejected, and the comments he is receiving have been contrary to what he has heard. He said he plans to distribute material provided by an attorney for the Federal Trade Commission. It is an argument on what constitutes conflict of interest and he

thinks it would be worthwhile for the Council to look at it before jumping to conclusions. He asked that the staff duplicate it for him and asked Councilwoman Hovsepien to read it and study it. Councilwoman Hovsepien reminded Councilman Abrams that it is her personal comment and said she is looking forward to reading the material.

Councilman Tyner said he has been quiet in this process. He said he honors his colleagues for their comments and how they express their feelings about things. It is a right that everyone has. With all the discussion on this matter there will come about a tighter Ethics Ordinance. He said the existing law deals with perception and under this law, nothing is wrong. This is a very difficult situation, both personally and politically. He said he is speaking of the elected body as well as the employees of the City and the volunteers on the City's boards and commissions and the Ethics Ordinance holds true for all. He said that he was in Atlanta this past weekend and had the opportunity to talk with many Mayors about their Ethics Ordinance and each of them will be sending him their ordinance. He said some of the ordinances are very strict and people cannot run for office and employees are not allowed to do many things.

Mayor Freeland thanked everyone for their comments and said he understands where they are all coming from. He reminded everyone that he said he would abide by the City's laws. He said he expected to hear what he has been hearing, both for and against. He said he will formally ask at the next Council meeting, after discussion with the City Attorney and the City Manager, about holding a special election, in order to deal with this issue. Councilman Abrams asked for clarification on just what the special election is for. Mayor Freeland said these are just his thoughts for the moment and he will get back to the Council with further information once he has spoken with the City Attorney and City Manager.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council:

1. Steve Fisher, 1014 Neal Drive, Chairman of the Alliance for Rockville Citizens. Mr. Fisher said he speaks tonight as Chairman of the Alliance for Rockville Citizens and is representing the viewpoint of the ARC executive Committee. Until today, ARC has not spoken to the matter of Mayor Freeland and his position with Eisinger/Kilbane and Associates. It is with increasing concern that they have witnessed citizens come to express publicly their criticism of the Mayor and to defend his embattled position and said it is time for the Council to decide if Mayor Freeland can serve effectively as Mayor of Rockville for the next 14 months. He said the issue is clear that there cannot be a Mayor who serves two masters, each with a different agenda on issues of mutual concern. This situation does not inspire confidence in government nor does it do justice to the Councilmembers who are compelled to examine whether or not any land use planning decision before them can be construed to pose a conflict of interest for the Mayor. He said ARC believes a decision concerning whether or not the Mayor should continue in office should be rendered. The citizens of Rockville, as well as the Mayor, have a right to know where each Councilmember stands on this issue.

Councilman Abrams asked Mr. Fisher where ARC stands on a special election. Mr. Fisher said if the issue arises it will be addressed.

2. Roald Schrack, 609 McIntyre Road. Dr. Schrack told the Council that he conducted a poll on whether the Mayor should remain in office. He said he polled the 24 houses on his street - two were unoccupied and three families were not at home so 19 were polled. He asked them, "Have you heard of the Mayor's new job?" Fourteen said yes and five said no. He said that if a person said

yes he would ask them the next question, and if they said no he just stopped the poll there. His second question was "Do you think it is a conflict of interest?" Eleven said yes, who had heard of the new job. His third and final question was "Do you think he should resign one of the jobs?" Eleven of the fourteen said yes and two said no.

3. Marge Collins, 619 West Lynfield Drive. Mrs. Collins addressed the Mayor and Council concerning a problem she is having with trash not being collected at the apartments behind her house. She explained that she has complained for years about this problem and has suggested that more dumpsters be installed. She said she has made several calls to the Licenses and Inspection department and every time they told her her call would be looked into. She gave a run down for the Council of her dealings with Licenses and Inspection. She said in July she wrote to Licenses and Inspection and did receive a reply back. She said she was sure nothing would happen so she kept a daily account of the trash situation at the apartments. She mentioned that this is documented in a letter she wrote to the City and the Council should have received copies of it. She said she finally got a call from Mr. Doug Horne. He said he would go after the owner and make him comply. Mrs. Collins said the neighbors are up in arms about this situation and think something should be done to clean up the street. She has lived there for 31 years and believes she has a right to have a neighborhood kept clean and asked for immediate action. Mayor Freeland said Mr. Horne and the City Manager are aware of the situation and hopes they will be able to get the problem solved. Mrs. Collins said she did receive from Mr. Horne a draft letter he will be sending to the owner and said she hopes he can do something.

4. Mike Wolly, 409 Greenpasture Drive. Mr. Wolly spoke to the Council regarding the question of development in Area 12. He said the Master Plan is not being followed. He set forth for the Mayor and Council a chronological

order of events that have have taken place over the past 60 days with the Area 12 and the Westmont Development. He explained that the Planning Commission is not addressing the merits of the staff's reports and thinks the Mayor and Council should understand what has transpired with the Commission.

He asked the Mayor and Council who gave assurance to EDS that they would be welcomed to Rockville? He also would like to know when City officials met with EDS and who gave them permission to meet. He stated that it seems many people, County Executive, EDS, and the Planning Commission Chairman do not want to follow the procedure of the Neighborhood Plan but North Farm does. He asked the Mayor and Council to ensure that the law will be followed.

Mayor Freeland said it is very difficult to address the chronology of what has taken place. He assured the citizens that the process will be kept in front of the public for all to see. Councilman Tyner reminded the citizens that what the Planning Commission does is just a recommendation to the Mayor and Council. It all comes back to the Council for a decision and that decision will be for the best of Rockville.

5. Phyllis Marcuccio, Vice Chairman of the Rockville Housing Authority.

Mrs. Marcuccio said she comes before the Mayor and Council to find out what has happened to a proposal. A while back the RHA came up with a wish list and presented it to the Council at budget time. The Council said they would be able to fund half of the list. Of that money, half of it was to be put towards a one-time extermination job. The RHA looked and found an exterminator who could do the job for \$10,000. However, the RHA is now having a problem in getting the money. She explained that at every meeting citizens ask when the buildings will be exterminated.

Mayor Freeland said he cannot answer specifically her question but said the City Manager and Mr. Horne understand her feeling and hopes before the next

meeting there will be some information explaining what is happening.

Councilwoman hovsepian said it was her feeling that this would be a one-time deal. Councilman Tyner said he recalls the discussion at the public hearing was \$10,000 to eliminate infestation. He explained that if the Housing Authority could find a company to come in twice to kill the eggs and then follow up with a second visit that was fine, just as long as it was done for no more than \$10,000.

6. Jeryl Gegan, Chairman of the Housing Authority. Mr. Gegan addressed the Council concerning agenda item number 7, the \$81,000 owed by the Housing Authority to the Council. He explained that this finding came about by auditors reviewing the Mayor and Council's and the Housing Authority's books. He has written a memo on how this happened and how to resolve it. He said he agrees with the staff's recommendation and urges the Council to adopt their recommendation.

Mr. Gegan next spoke about the Authority's search for a Executive Director. He said Chris Tolson is presently serving as acting director and tomorrow morning he will make a job offer to a person after a 2 1/2 month search. He hopes to be able to introduce this person at the next Mayor and Council meeting.

7. Sima Osdoby, 2 Stevenage Circle. Mrs. Osdoby expressed the same concerns as addressed by Mr. Wolly and she agrees that the citizens deserve answers to their questions.

Councilman Duncan said he has never met nor talked with officials at EDS. Councilwoman Hovsepian said the Mayor and Council were invited to a luncheon with the County Executive and EDS. She did attend the luncheon but that was her only dealing with the company. She said all of the Mayor and Council, except Councilman Duncan attended. A short discussion was held with Mr. Allen, present in the audience concerning the City's involvement with EDS. The City Manager explained that the owners of the Westmont Tract have talked about some type of



development proposals. The City's response to them was to go out to the citizens and get their feelings on this. He further explained the history of EDS coming to Rockville and what has happened to date. The Master Plan process was explained to the County Executive's staff and to EDS. He feels this explanation is owed to the citizens to help better understand that the City staff has been involved with EDS.

Councilman Duncan asked why the Rockville Pike Plan, Area 11, is not considered a Neighborhood Plan like Area 12. Mr. Blick asked if he could give Councilman Duncan a memo explaining this.

8. Dick Arkin, 525 Lynch Street. Mr. Arkin addressed the Mayor and Council concerning the Ethics issue. He said he appreciates Councilman Tyner's remarks on Boards and Commissions and added that a tightly written ordinance will make it difficult for many people to serve. He said to have two elections within 12 months would hurt the integrity of the system. The Charter should be followed. He said no wrong doing has been found and it is wrong to go ahead with impeachment. He then reiterated his concern about holding two elections in such a short period of time.

9. Rev. Mansfield Kaseman. Rev. Kaseman addressed the Mayor and Council to inform them of "Crop Walk for Rockville" which will be held on October 14. He explained that 15 Churches, all in Rockville are involved with this project to combat hunger around the world and in the City. He introduced Rev. Gerald Williams. Rev. Williams briefly explained "Crop". He told the Council the 10 mile walk will start at the First Baptist Church and will go through Rockville. He hopes to raise \$10,000, 25% of which will go to helping people in Rockville. He said people may contact the UCCCM if they would like to contribute or walk. In the case of rain, he asked that donors give the amount they pledged. Councilwoman Hovsepien asked if someone wants to be a sponsor is there a

determined amount or is that up to the individual. Rev. Williams said he would like to see people sponsor \$1.00 per mile.

10. Alan Blandamer. Mr. Blandamer added support to Mrs. Collins remarks about the trash situation. He said he is disturbed to hear at the Planning Commission the Chairman articulate ideas about Area 12 and how the Advisory Committee might be appointed to the committee but with a non-voting status. He said he never heard of any kind of voting mechanism.

11. Steve Fisher, President of Burgundy Knolls. Mr. Fisher addressed the Mayor and Council about a matter he brought to the Council's attention seven weeks ago. He again spoke of the code violations in his neighborhood. He asked if Mr. Horne has given written or verbal notice to Mr. Eisinger and if so he would like to know when these were issued and when the City will do something about the problem. He asked the City Attorney's opinion of a portable sign and informed the City of a portable sign that is at the intersection of Gude Drive. He said this is the second sign of the two he originally mentioned two weeks ago. He said the other one was removed and asked what will be done about the sign that is still up.

There being no further citizen wishing to address the Mayor and Council the Citizen's Forum portion of the meeting was closed.

Re: Public Hearing: To  
receive proposals for  
projects to be funded  
with Community  
Development Block  
Grant Funds in FY 86

The Mayor and Council conducted a public hearing to receive proposals for projects to be funded with CDBG funds in FY 86 and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor closed the hearing with the record to be held open until September 17, 1984.

Re: Ethics

Councilman Tyner asked the Council if they would like to discuss the next round of the Ethics Ordinance or wait. Councilman Duncan asked if the City Attorney was available to discuss the draft that he had prepared for the Council. Councilwoman Hovsepian said she felt tonight was not an appropriate time to go over this subject; she felt it should be scheduled at another time. Councilman Abrams said there were certain points he discussed at the work session, such as a "Recall Provision" that is not included in the draft. He asked the City Manager about this. The City Manager explained that this must be done by a Charter Amendment and Councilman Abrams asked that this be done in order to handle his request. He said he expects "recall" to be tied into the Ethics Ordinance. He feels it is important enough to be included in that package. The City Manager said recall provisions are usually triggered by citizens and asked Councilman Abrams if he is asking that this be prepared so that the Mayor and Council can ask for a recall. Councilman Abrams said he would like to see it proposed since he has several ideas he would like to make about it. Councilman Tyner said there were several things brought up at the work session and he would like to see all those points addressed. He has no problem with discussion of it but has a problem with recall being a part of the Ethics Ordinance. Councilman Abrams said he would like to put forth one more suggestion. Usually there is one document but at the public hearing he would like to have a whole threshold to give to the citizens. Councilwoman Hovsepian said that was the basis of her statement. If it takes two documents then so be it. She wants full input from the citizens. She said from what she understands, the Council cannot go forward with the document at hand. Councilman Abrams said two documents are needed - one based on disclosure with recall and the second one be done with options. Councilman Tyner said he would like to see it done in two documents. He asked if the Council would like to meet on

September 24 to review what the City Attorney has prepared. Councilman Abrams said he would also like mentioned what was discussed about board and commission members and how broad prohibition should be. The City Manager suggested the Council have a work session on an off Monday night. Mayor Freeland asked the City Manager to talk with the City Attorney to see if the materials can be made available by next Monday and then let the Mayor and Council know so the citizens can be informed. He said he would like to meet as early as possible next Monday night; or at the next Mayor and Council meeting after citizens forum and keep the agenda light.

Re: Introduction of  
Ordinance: To grant  
Text Amendment, T-60-  
84, Mayor and Council  
of Rockville, Appli-  
cant, to eliminate  
payment bond require-  
ments and to further  
give the City Manager  
discretion to accept  
performance security  
other than surety  
bonds

On motion of Councilman Abrams, there was introduced upon the table an ordinance to grant Text Amendment Application T-60-84, to eliminate payment bond requirements and to further give the City Manager discretion to accept performance security other than surety bonds, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance: To grant Street Closing Application, SCA-48-84, WMATA, Applicant, portion of Westmore Road at B & O Railroad tracks.

On motion of Councilman Abrams, there was introduced upon the table an ordinance to grant Street Closing Application, SCA-48-84, to abandon a portion of Westmore Road at the B & O Railroad tracks, said ordinance to lay over at least one week before final action is taken.

Re: Approval of recommendation to grant waiver for Rockville Housing Authority Payments in Lieu of Taxes

On July 25, 1984, Jeryl Gegan, Chairman of the Housing Authority, wrote to Councilman Tyner requesting relief from the \$81,050.80 in Payments in Lieu of Taxes (PILOT) owed to the City by the Housing Authority. Mr. Gegan indicated the inability of the Housing Authority to pay such a sum.

Upon review of the recent financial statements and the May 16, 1984, audit of the Rockville Housing Authority, the staff agrees with Mr. Gegan's statement that the RHA is in no position to pay the back PILOT. The recent audit of the RHA performed by Thomas R. Thompson, CPA, recommended that the PILOT "...be paid or else written off if a waiver can be obtained..."

There are several alternate course of action the City can take in dealing with the issue of the back PILOT:

- a) It can insist upon payment either in a lump sum or by a negotiated payment schedule
- b) The City can forgive the back PILOT and write it off its books. This is the course of action recommended by the auditor as it would clear the books of both the City and RHA.

- c) The City could formally defer the payment of the back PILOT until such time as the Housing Authority rebuilds its reserves to a specific level (such as the \$50,000 specified in 1978) and require that ongoing PILOT be paid as it comes due.
- d) Mr. Gegan's request could be granted, thus, relieving the RHA of the obligation to repay the back PILOT and the obligation to pay future PILOT until a reserve of \$50,000 is accumulated.
- e) Variations of any of the above.

The present financial position of the RHA would seem to preclude any lump sum payment of the \$81,050 owed in back PILOT. It is felt, however, that by properly adjusting its budget, the Housing Authority could make some type of annual payment in lieu of taxes to the City particularly if turnover time for vacant units is decreased.

The staff recognizes the present financial difficulties of the RHA and recommends that the back PILOT in the amount of \$81,050.80 be forgiven. It is, however, also recommended that future PILOT payments be placed in the RHA reserve until a balance of \$50,000 is accumulated. The matter of PILOT payment to the City should then be reevaluated in light of prevailing circumstances.

Councilman Duncan moved, duly seconded by Councilwoman Hovsepien, to approve the staff's recommendation.

Councilman Tyner said he is in opposition to this recommendation. He said the same thing was done in 1978. He questioned whether forgiving the RHA and letting them not pay this time is really helping them build into a sound financial institution. He feels RHA should pay some amount of the money due. He said he would like to see some kind of annual payment. Councilwoman Hovsepien asked where the money would come from since RHA cannot build up a reserve. Mr. Gegan, Chairman of the Rockville Housing Authority, told the Mayor and Council that the Commissioners cannot remember what happened in 1978. He explained that the Executive Director misread what had to be done. He said that the RHA has been budgeting for PILOT but does not know where the money is.

Mr. Blick told the Council that RHA has far more items to spend money on than they have money for. He told the Council they must decide if it is more important for RHA to pay off PILOT than other things. Mayor Freeland asked if there are any properties in Rockville that the City does not accept taxes from. He asked why the City cannot eliminate the process of returning taxes and forget PILOT and just exempt RHA. Mr. Blick said the Council could do that for a period of time and then step in to see if the RHA is financially sound. Mayor Freeland said it would be good to decide how to fix this problem once and for all. Councilwoman Hovsepian noted that the RHA is in a transitional period and that a new director will be appointed soon. Councilwoman Hovsepian suggested to Councilman Duncan, the mover of the motion, to amend his motion to forgive the RHA for this coming year and then look at their situation after the new director starts. Mayor Freeland said he agrees with both the motion and discussion. He suggested that the Chairman and his members take the initiative to come back to the staff and Mayor and Council with a recommendation on how they would like to deal with this situation - maybe in a year as suggested by Councilwoman Hovsepian. Councilman Tyner asked that in the next FYI section a letter from the Mayor to the RHA be inserted on exactly what the terms are. Mayor Freeland asked Mr. Gegan to get together with Mr. Horne to discuss what kind of letter should be drafted.

Councilwoman Hovsepian's amendment to Councilman Duncan's motion died for lack of a second.

Councilman Duncan's motion passed with Mayor Freeland and Councilmembers Abrams, Duncan and Hovsepian voting aye and Councilman Tyner voting nay.

Re: Award of Contract:  
Bid No. 21-85,  
Repair of Storm Water  
Management facilities

Bids for the maintenance and/or repair of Storm Water Management facilities

were opened at 11:00 a.m. on August 30, 1984, in the Mayor and Council Chamber. This bid is a rebid of Bid 10-85, which was rejected by the Mayor and Council on August 13, 1984, because only a single bid was received and several work items were excessively priced.

The Mayor and Council authorized the staff to revise the specifications of the original bid by elimination of several overpriced items which could be more economically accomplished by other means. The specification was revised and the contract was immediately readvertised.

The work covered by the current contract includes cleaning the sediment from and stabilizing the disturbed areas in and around four ponds located on the Red Gate Golf Course and adjacent City Maintenance Yard. This process will include provision of improved sediment control measures and enlargement of the capacity of two of the Red Gate ponds to provide for an increased irrigation water supply. The sediment which will be removed from the ponds is fertile soil and will be used to improve and expand the existing driving range.

Five bidders picked up the bid package. Of this number, two submitted bids as follows:

Capitol Construction Enterprises, Inc., Rockville, MD	\$117,700
Allied Contractors, Inc., Baltimore, MD	\$129,626
Engineer's Estimate	\$123,000
Remaining Appropriation	\$ 89,500

The original bid, No. 10-85, was in the amount of \$175,500. Under the original bid, the prices received relative to the items included in the current contract totaled \$118,700. The current bid at \$117,700 represents a savings of \$1,000 on just this position. It is expected that under the remaining items to be accomplished by other means, an additional \$45,850 will be saved over the prices of original bid No. 10-85.



The remaining appropriation is \$89,500. In order to accomplish the work under current Bid No. 21-85 plus the additional remaining work under a future contract, a sum of \$119,600 will be required. In addition, an allowance of 6%, or \$7,100 will be required for inspection and administrative services, making a total project cost of \$126,700. Based on these figures, the existing \$89,500 appropriation must be increased by \$37,000. Adequate funds are available in SWM Fund 44 to cover this increased cost.

The low bidder, Capitol Construction Enterprises, Inc., was recently awarded the Dawson Farm SWM project. The staff has previously checked their work experience and are of the opinion they are qualified to perform a satisfactory job. The staff recommends: 1) increase the appropriation by \$37,200 by transferring the funds from Fund 44 to Account 4A59; and 2) award the contract to the low bidder, Capitol Construction Enterprises, Inc., in the amount of their bid of \$117,700.

On motion of Councilman Tyner, duly seconded and unanimously passed, Bid No. 21-85 was awarded as recommended by staff.

Re: Approval of Rules of  
Procedure of  
Landlord/Tenant  
Affairs Commission

On August 27, 1984, the Rockville Commission on Landlord/Tenant Affairs adopted their Rules of Procedures. In accordance with the provisions of Section 2-205(d) of Chapter 26 of the "Laws of Rockville", these Rules of Procedure are being forwarded to the Mayor and Council for its review and approval.

These rules have been extensively reviewed and discussed by both staff and the Commission. They are designed to insure fair and impartial handling of complaints in an efficient manner, therefore staff recommends approval by the Mayor and Council.

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On motion of Councilman Abrams, duly seconded and unanimously passed, the Rules of Procedures for the Landlord/Tenant Affairs Commission were approved.

Re: Resolution: To  
establish a Permit  
Parking District on  
the residential side  
of Wainwright Avenue

Resolution No. 34-84

Councilman Tyner asked if this area could be added to the larger permit area currently being considered in the Twinbrook Section. The City Manager said if the citizens wish to expand the hours to daytime, the Council would need to adopt a new Resolution.

On motion of Councilman Abrams, duly seconded and unanimously passed, Resolution No. 34-84, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council, to establish a Permit Parking District on the residential side of Wainwright Avenue, was adopted by the Mayor and Council.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. B.E. Lackey, re street numbering and traffic circulation
2. Rockville Chamber of Commerce, re Ethics Ordinance
3. R. A. Allen, re Amusements and Vendors Ordinance
4. Maryland Department of Transportation, re traffic signals
5. Delegate Gordon, re transportation hearing
6. MML re Home Rule advertisement
7. Capital Area Food bank re support from Rockville

Councilwoman Hovsepian noted that this is being done in the County through MANNA and asked that this be passed on to Rev. Lon Dring.

8. Lois Futrell, re various suggestions
9. JoAnn Mazzetta, re Ethics Ordinance
10. County Executive, re hotel/motel taxes

## 11. Mrs. Collins, R. Veale, re neighborhood problem

The City Manager said a meeting with the owner of the apartments will be arranged to discuss this problem. Mayor Freeland asked that this be treated as a special situation and tell the owner that there have been numerous calls and that the City will be checking the dumpsters at different times. Mr. Blick explained that there are many owners. Mayor Freeland was adamant in that the City is not going to tolerate any additional disregard to City law.

## Re: Information Items

The Mayor and Council noted the following items of information:

1. Memo from L & I re illegal signs on Gude Drive
2. Senior Center Newsletter
3. Information on costs of Newsletter supplements

Councilwoman Hovsepien asked that this matter be brought up at budget time.

4. Response to citizens complaints
5. Memo on revised schedule for roadway improvements
6. Memo re Goodwill Store problems

Councilman Tyner asked the City Manager to check with Bob Groff about the liquor license application that is proposed for the Goodwill store site. He asked what was going in that location and asked that the neighborhood be kept informed.

7. Budget information for Boards and Commissions
8. Information on ticketing for parking on grass strips
9. Letter re cable agreement
10. Letter to MNCPPC from Glenora Association re Washington Development
11. Letter to Senator Shore re school districts
12. Letter complimenting City employee
13. Letter announcing Historic Study funding
14. Memo re incorporation of Human Rights festival into Rockville Day activities
15. Information on South Adams Street speed humps
16. Memo on Temporary Real Estate Signs

## Re: New Business

1. Councilman Tyner said he never heard from across the street on the proposed funding for the F. Scott Fitzgerald Theatre. He told the Council that if they wish to go forth with this project, the City must come up with matching funds. He asked the staff to look into this and if the funds cannot be matched then he suggests dropping this idea.

2. The City Manager said Metro is planning to open in December. He asked if the Mayor and Council wants to involve themselves in the Metro opening. Councilman Abrams said he is thinking of some things. He said he would like everyone to keep in mind that there are two stations, not one, opening in Rockville. He asked that a shuttle from one station to the other be looked into. Mr. Blick said the City will be in on the planning meetings and he will keep the Mayor and Council informed of what is happening. Mayor Freeland said all the emphasis will be at Shady Grove. He said the City should do something within the City because of the significance of the two stations.

## Re: Executive Session

There being no more business to come before the Mayor and Council in general session, the meeting was closed for executive session to discuss personnel and for consultation with legal counsel.

## Re: Adjournment

There being no further business to come before the Mayor and Council in executive session the meeting was adjourned at 11:00 p.m. to convene again in general session on Monday, September 24, 1984, at 8:00 p.m. in the Council Chamber or at the call of the Mayor.